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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/668,976
	Filing Date	September 23, 2003
	First Named Inventor	Robert Scott Morris
	Art Unit	2636
	Examiner Name	HOFSASS, J.A.
Total Number of Pages in This Submission	Attorney Docket Number	30408-102

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Reply to Notice of Non-Compliant Amendment; and Post Card
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Stephen J. Gaudet Reg. No.: 48,921	
Signature		
Date	7-15-04	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	See Certificate of Mailing on Reply	
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Applicant:</b>	Morris, R.S.	)	
		)	
<b>Serial No.:</b>	10/668,976	)	
		)	
<b>Filed:</b>	September 23, 2003	)	<b>Art Unit:</b> 2636
		)	<b>Examiner:</b> Hofsass, J.A.
<b>Title:</b>	A Novel Carbon Nanotube Battery	)	
		)	
<b>Docket No.:</b>	30408-102	)	
		)	
		)	
		)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING (37.C.F.R. 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

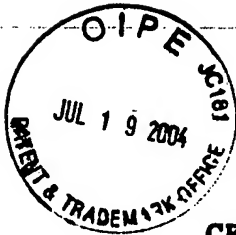
July 15 2004  
date of mail deposit

By: Renee P. Granito  
Renee P. Granito

Sir:

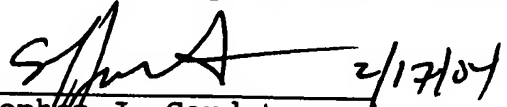
Applicant received a Notice of Non-Compliant Amendment dated June 22, 2004. The Notice asserts that the "amendment document filed on 2-17-04 is considered non-compliant." The documents Applicant submitted on that date were responses to a Notice of Missing Parts. The documents filed were not part of nor pertaining to an amendment. No amendment has been filed in this case.

BEST AVAILABLE COPY



**CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
UNDER 37 C.F.R. 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and addressed to Commissioner for Patent, Mail Stop MISSING PARTS, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 17, 2004. Express Mail Label No.: EV 022277524 US.

  
Stephen J. Gaudet  
Reg. No. 48,921

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Robert Scott Morris

Serial Number: 10/668,976

Filed: September 23, 2003

For: A NOVEL CARBON NANOTUBE LITHIUM BATTERY

Examiner: N/A

Art Group: 1745

Docket No. 30408-102

Perkins, Smith and Cohen, LLP  
One Beacon Street  
Boston, MA 02108  
(617) 854-4000

TO: Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO FILE MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated December 17, 2003, an executed Declaration and Powers of Attorney are submitted herewith together with a copy of the Notice to File Missing Parts and a check for \$65.00 covering the required fee for the Response to File Missing Parts.

SN 10/668,976

Please charge any underpayment of fees to or credit any overpayment of fees to Deposit Account No. 03-2410, order 30408-102.

In accordance with Section 714.01 of the M.P.E.P., the following information is presented in the event that a call may be deemed desirable by the Examiner:

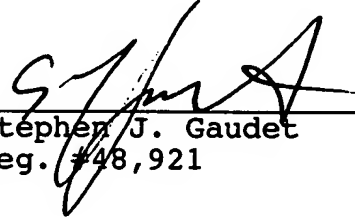
Stephen J. Gaudet

(617) 854-4000

Dated: 2/17, 2004

Respectfully submitted,  
Robert Scott Morris, et al.,  
Applicants

By:

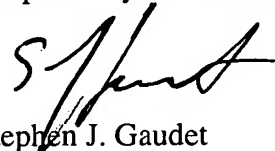
  
\_\_\_\_\_  
Stephen J. Gaudet  
Reg. #48,921

Therefore, Applicant requests that prosecution proceed and this present Notice be withdrawn.

Enclosed is a copy of the Notice of Non-Compliant Amendment along with what was filed in response to the Notice of Missing Parts.

If there is any confusion, please call the undersigned attorney at 617-854-4237.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. J. Gaudet', written over the printed name.

Stephen J. Gaudet  
Attorney for Applicant  
Reg. No. 48,921

7/15/04



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/668,976	09/23/2003	Robert Scott Morris	30408-102

26486  
PERKINS, SMITH & COHEN LLP  
ONE BEACON STREET  
30TH FLOOR  
BOSTON, MA 02108

CONFIRMATION NO. 1763

## FORMALITIES LETTER



\*OC000000011514056\*

Date Mailed: 12/17/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 2.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE